

REMARKS

Claims 1 and 3-11, 14-23, 27 and 28 are now pending in the application. Claims 4-8 and 17-21 have been previously withdrawn from consideration. Claims 1, 3, 9-11, 14-16, 22, 23, 27 and 28 stand rejected. Claims 2, 12, 13, and 24-26 have been previously cancelled. Independent Claims 1, 14 and 27 have been amended herewith. Support for the amendments can be found throughout the application, drawings and claims as originally filed and, as such, no new matter has been presented. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 1, 3, 9-11, 14-16, 22, 23, 27 and 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Riemer et al. (U.S. Pat. No. 5,662,184, hereinafter "Riemer") in view of Sellergren (U.S. Pat. No. 6,676,159, hereinafter "Sellergren"). In view of the arguments herein, this rejection is respectfully traversed.

The Examiner's attention is directed to independent Claim 1. Claim 1 has been amended to include the limitation that the motor vehicle further contains an auxiliary frame structure coupled to the frame assembly, wherein the auxiliary frame structure defines a crush zone. This auxiliary frame provides side impact protection for the longitudinal frame and associated hydrogen-containing fuel. The references cited are silent as to this limitation. As such, Applicants respectfully request withdrawal of the rejection of the claims.

Claims 14 and 27 have also been amended to include the limitation that the fuel cell powered vehicle comprises an auxiliary frame structure having a member oriented parallel to a longitudinal frame rail.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: April 18, 2007

By: 

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